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SEA

SERVICE DATE – SEPTEMBER 5, 2006

**SURFACE TRANSPORTATION BOARD**  
WASHINGTON, DC 20423

**ENVIRONMENTAL ASSESSMENT**

**STB DOCKET NO. AB-55 (Sub-No. 670X)**

**CSX Transportation, Inc. -- Abandonment Exemption -- in  
Middlesex County, MA**

**BACKGROUND**

In this proceeding, CSX Transportation, Inc. (CSXT) filed a petition for exemption under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 to abandon an approximately 2.39-mile line of railroad in Middlesex County, Massachusetts. The rail line, known as the Saxonville Industrial Track, extends between milepost QBX 0.15 and milepost QBX 2.54 in the City of Natick. A map depicting the rail line in relationship to the area served is appended to this Environmental Assessment (EA). If the petition is granted, the railroad would be able to salvage track, ties and other railroad appurtenances and dispose of the right-of-way.

**ENVIRONMENTAL REVIEW**

CSXT submitted an environmental report that concludes the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. CSXT served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Board's environmental rules [49 CFR 1105.7(b)]. The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

***Diversion of Traffic***

CSXT states that there is currently no rail traffic on the rail line proposed for abandonment. The last year that rail traffic moved along the line was in 2005. The line formally had one shipper, Metro Freezer & Storage, LLC, which has since relocated. Consequently, the proposed abandonment would cause no diversion of passengers or freight to other transportation systems or modes. Because the line has handled no local or overhead traffic since 2005, the proposed abandonment would not affect the transportation of energy resources or recyclable commodities, and would not result in an increase in overall energy efficiency.

### *Salvage Activities*

According to CSXT, the line is located within a well developed urban area with private residences and businesses. The right-of-way is generally 30 to 50 feet from the centerline of track.

As part of the proposed salvage activities, CSXT states that it intends to salvage rail, ties, and track material from the line. Salvage would be performed within the right-of-way, and the removal of material would be accomplished by utilizing existing public and private crossings. CSXT further states that no new access roads are contemplated. Crossties and other debris would be transported away from the line and would not be discarded along the right-of-way, in streams or wetlands, or along the banks of waterways. CSXT does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil. In addition, CSXT does not anticipate any dredging or use of fill in the removal of the track material. CSXT states that it would take precautions during salvage operations to prevent or control spills from fuels, lubricants, or other pollutant materials from entering any waterways. Accordingly, we recommend that a condition be imposed requiring CSXT to conduct salvage activities in the manner it has proposed.

The City of Natick submitted comments to SEA stating that the proposed abandonment is consistent with its current land use plans. The City has indicated that it is interested in the conversion of the rail line to a trail to expand its existing trail network. The City stated that the right-of-way for the rail line is an ideal location for a trail as it is within the boundaries of the Cochituate State Park and immediately borders Cochituate Lake. The City has indicated to SEA that the right-of-way along the proposed route would be also suitable for other public purposes such as for transportation projects. The City commented that it does not anticipate any adverse actions that would result from the proposed abandonment.

The U.S. Fish and Wildlife Service (USFWS) has submitted comments to CSXT indicating that the proposed abandonment is not anticipated to impact Federally listed threatened and endangered species and that further consultation with the USFWS is not required.

Prime farmland may exist in the proposed project area, but CSXT does not believe that the proposed abandonment would have an adverse impact on prime farmland. The Natural Resource Conservation Service (NRCS) has not submitted comments regarding potential impacts to prime farmland. Accordingly, SEA is sending a copy of this EA to NRCS for review and comment.

The USEPA's Region 1, submitted comments stating that there is not enough information for it to determine whether or not the proposed abandonment would be subject to National Pollutant Discharge Elimination System (NPDES) permitting requirements. In response to its letter, CSXT provided additional information to USEPA regarding its proposed action and planned salvage activities. No response to this

additional information has been received by SEA or CSXT. Therefore, SEA will ensure that USEPA receives a copy of this EA for its review and comment.

To date, no response has been received from the Massachusetts Department of Environmental Protection (MassDEP) regarding the potential impact of the proposed abandonment on water quality or consistency of the proposed action with Federal, state or local quality standards. Accordingly, SEA will provide a copy of this EA to MassDEP for its review and comment.

The Massachusetts Coastal Zone Management has indicated to CSXT that the area of the proposed abandonment is outside the geographic boundaries of the Massachusetts Coastal Zone and is therefore not subject to Federal coastal zone consistency review.

The U.S. Army Corps of Engineers' Concord District (Corps) reviewed the proposed abandonment and determined that no Corps permits would be required for the proposed project.

According to CSXT, the proposed abandonment would not affect wildlife sanctuaries or refuges, national or state parks, or forests.

Copies of this EA will be provided to appropriate Federal, state and local agencies for their review and comment.

## **HISTORIC REVIEW**

CSXT submitted an historic report as required by the Board's environmental rules [49 CFR 1105.8(a)].<sup>1</sup> CSXT served the report on the Massachusetts Historical Commission (State Historic Preservation Office or SHPO) pursuant to 49 CFR 1105.8(c). The SHPO submitted comments stating that that proposed abandonment is unlikely to affect significant historic or archaeological resources.

Pursuant to the Advisory Council on Historic Preservation's regulations for implementing the Section 106 process of the National Historic Preservation Act at 36 CFR 800.4(d)(1) and 36 CFR 800.8, we have determined that the proposed abandonment will not affect historic properties listed in or eligible for inclusion in the National Register of Historic Places. The documentation for this finding, as specified at 36 CFR 800.11(d), consists of the railroad's historic report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public.

SEA conducted a search of the Native American Consultation Database at <http://www.cast.uark.edu/other/nps/nacd/> to identify Federally recognized tribes that may

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<sup>1</sup> The combined environmental and historic report for this proceeding can be viewed on-line by conducting a "Full Text Search" using the Docket Number for this proceeding, AB-55 (Sub-No. 670X), at <http://www.stb.dot.gov/filings/all.nsf/ByFilingDate?OpenView>.

have ancestral connections to the project area. The database did not identify any tribes that may have an interest in the proposed abandonment.

## **CONDITIONS**

We recommend that the following environmental condition be placed on any decision granting abandonment authority:

1. As agreed to by CSX Transportation, Inc. (CSXT), CSXT shall conduct salvage activities in the following manner: perform salvage activities within the right-of-way and utilize existing public and private crossings; transport crossties and other debris away from the right-of-way, streams, wetlands, and banks of waterways; avoid disturbing the underlying roadbed and any activities that would cause sedimentation or erosion of the soil; avoid dredging or use of fill in the removal of the track material; and take precautions during salvage operations to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways.

## **CONCLUSIONS**

Based on the information provided from all sources to date, we conclude that, as currently proposed, provided that the recommended condition is imposed, abandonment of the rail line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

## **PUBLIC USE**

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

## **TRAILS USE**

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of the petition for exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

## **PUBLIC ASSISTANCE**

The Board's Office of Public Services responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact the Office of Public Services directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

## **ENVIRONMENTAL COMMENTS**

If you wish to file comments regarding this EA, send an original and two copies to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Catherine Glidden, who prepared this EA. Environmental comments may also be filed electronically on the Board's web site, [www.stb.dot.gov](http://www.stb.dot.gov) by clicking on the "E-FILING" link. Please refer to **Docket No. AB-55 (Sub-No. 670X)** in all correspondence, including e-filings, addressed to the Board. If you have any questions regarding this EA, please contact Catherine Glidden, the environmental contact for this case, by phone at (202) 565-1542, fax at (202) 565-9000, or e-mail at [gliddenc@stb.dot.gov](mailto:gliddenc@stb.dot.gov).

Date made available to the public: September 5, 2006.

Comment due date: **October 5, 2006 (30 days).**

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams  
Secretary

Attachment